

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		ATTORNEY'S DOCKET NUMBER 14321.79
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/540789</b>
INTERNATIONAL APPLICATION NO. PCT/JP2003/017065	INTERNATIONAL FILING DATE 26 December 2003	PRIORITY DATE CLAIMED 27 December 2002

TITLE OF INVENTION  
**ARRAY WAVEGUIDE LATTIC TYPE OPTICAL MULTILEXER/DEMULITPLEXER CIRCUIT**

## APPLICANT(S) FOR DO/EO/US

Tsutomu Kitoh      Yasuyuki Inoue      Mikitaka Ito      Yoshinori Hibino      Akimasa Kaneko

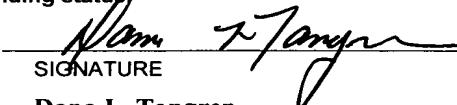
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A power of attorney and/or change of address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22.  Express Mail Label No. EV 629 667 273 US
23.  Other items or information:  
postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/540789</b>	INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/0017065</b>	ATTORNEY'S DOCKET NUMBER <b>14321.79</b>
The following fees are submitted:		CALCULATIONS PTO USE
24. <input checked="" type="checkbox"/> Basic national fee .....		\$300 \$ <b>\$300.00</b>
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). .... All other situations. ....		\$100 \$ <b>\$200.00</b> \$200
26. <input checked="" type="checkbox"/> Search fee .....		\$100
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....		\$400
International Search Report prepared and provided to the Office .....		\$500 \$ <b>\$400.00</b>
All other situations. ....		\$ <b>\$900.00</b>
<b>TOTAL OF 24, 25 and 26 =</b>		\$ <b>\$900.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)
34 - 100 =	0 /50 =	0 x \$250.00 \$ <b>\$0.00</b>
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		\$
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	2 - 20 =	0 x \$50.00 \$ <b>\$0.00</b>
Independent claims	1 - 3 =	0 x \$200.00 \$ <b>\$0.00</b>
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>		+ \$360.00 \$ <b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ <b>\$900.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ <b>\$0.00</b>
<b>SUBTOTAL =</b>		\$ <b>\$900.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ <b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>		\$ <b>\$900.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$ <b>\$80.00</b>
<b>TOTAL FEES ENCLOSED =</b>		\$ <b>\$980.00</b>
		Amount to be \$
		Amount to be \$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.		
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.		
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-3178</u> . A duplicate copy of this sheet is enclosed.		
d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.		
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.		
SEND ALL CORRESPONDENCE TO: <b>Dana L. Tangren</b> <b>Workman Nydegger</b>		
 SIGNATURE		
<b>Dana L. Tangren</b> NAME		
37,246 REGISTRATION NUMBER		

**022913**  
PATENT TRADEMARK OFFICE  
CUSTOMER NO.

JC20 Rec'd PCT/PTO 27 JUN 2005

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Tsutomu Kitoh et al.				Docket No. 14321.79
Serial No. <b>107540789</b>	Filing Date	Confirmation No.	Customer No. 022913	Examiner
Invention: ARRAY WAVEGUIDE LATTICE TYPE OPTICAL MULTILEXER/DEMULITPLEXER CIRCUIT				
<p>I hereby certify that the following are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop: PCT, Commissioner for Patents, PO Box 1450, Arlington, Virginia 22313-1450.</p> <p>DATED this 27<sup>th</sup> day of June 2005.</p> <ul style="list-style-type: none"><li>• Transmittal Letter concerning filing under 35 USC § 371 (2 page) (in duplicate)</li><li>• First Assignment with cover sheet form PTO-1595 (5 pages)</li><li>• Second Assignment with cover sheet form PTO-1595 (4 pages)</li><li>• First Combined Declaration and Power of Attorney (3 pages)</li><li>• Second Combined Declaration and Power of Attorney (4 pages)</li><li>• First page of International Application No. PCT/JP2003/017065</li><li>• English translation of PCT/JP2003/017065 (23 pages)</li><li>• English translation of drawings (11 pages)</li><li>• Copy of International Search Report</li><li>• Preliminary Amendment (3 pages)</li><li>• Form PTO-2038 submitting Credit Card Payment in the amount of \$980</li><li>• Postcard</li></ul>				
<p style="text-align: center;">DANA L. TANGREN</p> <p style="text-align: center;"><i>Dana L Tangren</i> (Signature of Person Mailing Correspondence)</p> <p style="text-align: center;">EV 629 667 273 US</p> <p style="text-align: center;">("Express Mail" Mailing Label Number)</p>				
W:\14321\79\DFW0000014424V001.doc				

10/540789

JC20 Rec'd PCT/PTO 27 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of

Tsutomu KITOH, Yasuyuki INOUE, Mikitaka ITO,  
Yoshinori HIBINO and Akimasa KANEKO

International Application No.: PCT/JP2003/17065  
International filing date: December 26, 2003

For: ARRAY WAVEGUIDE LATTICE TYPE OPTICAL  
MULTILEXER/DEMULTIPLEXER CIRCUIT

VERIFICATION OF TRANSLATION

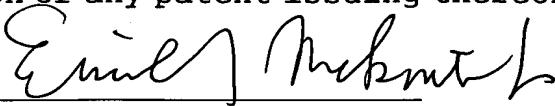
Honorable Commissioner of Patent and Trademark  
Washington, D.C. 20231  
Sir:

Eiichi NAKANISHI residing at c/o TANI & ABE, 6-20, Akasaka  
2-chome, Minato-ku, Tokyo 107-0052, Japan, declares:

- (1) that he knows well both the Japanese and English languages;
- (2) that he translated the claims of the above-identified International Application from Japanese to English;
- (3) that the attached English translation is a true and correct translation of the claims, specification and drawings of the above-identified International Application to the best of his knowledge and belief; and
- (4) that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

June 21, 2005

Date

  
Eiichi NAKANISHI